

1 AN ACT in relation to voting machines and systems.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Election Code is amended by changing
5 Sections 24-1, 24A-4, and 24B-4 as follows:

6 (10 ILCS 5/24-1) (from Ch. 46, par. 24-1)

7 Sec. 24-1. The election authority in all jurisdictions
8 when voting machines are used shall, except as otherwise
9 provided in this Code, provide a voting machine or voting
10 machines for any or all of the election precincts or election
11 districts, as the case may be, for which the election
12 authority is by law charged with the duty of conducting an
13 election or elections. A voting machine or machines
14 sufficient in number to provide a machine for each 400 voters
15 or fraction thereof shall be supplied for use at all
16 elections. However, no such voting machine shall be used,
17 purchased, or adopted until the board of voting machine
18 commissioners hereinafter provided for, or a majority
19 thereof, shall have made and filed a report certifying that
20 they have examined such machine; that it affords each elector
21 an opportunity to vote in absolute secrecy; that it enables
22 each elector to vote a ticket selected in part from the
23 nominees of one party, and in part from the nominees of any
24 or all other parties, and in part from independent nominees
25 printed in the columns of candidates for public office, and
26 in part of persons not in nomination by any party or upon any
27 independent ticket; that it enables each elector to vote a
28 written or printed ballot of his own selection, for any
29 person for any office for whom he may desire to vote; that it
30 enables each elector to vote for all candidates for whom he
31 is entitled to vote, and prevents him from voting for any

1 candidate for any office more than once, unless he is
2 lawfully entitled to cast more than one vote for one
3 candidate, and in that event permits him to cast only as many
4 votes for that candidate as he is by law entitled, and no
5 more; that it prevents the elector from voting for more than
6 one person for the same office, unless he is lawfully
7 entitled to vote for more than one person therefor, and in
8 that event permits him to vote for as many persons for that
9 office as he is by law entitled, and no more; and that such
10 machine will register correctly by means of exact counters
11 every vote cast for the regular tickets thereon; and has the
12 capacity to contain the tickets of at least 5 political
13 parties with the names of all the candidates thereon,
14 together with all propositions in the form provided by law,
15 where such form is prescribed, and where no such provision is
16 made for the form thereof, then in brief form, not to exceed
17 75 words; that all votes cast on the machine on a regular
18 ballot or ballots shall be registered; that voters may, by
19 means of irregular ballots or otherwise vote for any person
20 for any office, although such person may not have been
21 nominated by any party and his name may not appear on such
22 machine; that when a vote is cast for any person for any such
23 office, when his name does not appear on the machine, the
24 elector cannot vote for any other name on the machine for the
25 same office; that each elector can, understandingly and
26 within the period of 4 minutes cast his vote for all
27 candidates of his choice; that the machine is so constructed
28 that the candidates for presidential electors of any party
29 can be voted for only by voting for the ballot label
30 containing a bracket within which are the names of the
31 candidates for President and Vice-President of the party or
32 group; that the machine is provided with a lock or locks by
33 the use of which any movement of the voting or registering
34 mechanism is absolutely prevented so that it cannot be

1 tampered with or manipulated for any purpose; that the
2 machine is susceptible of being closed during the progress of
3 the voting so that no person can see or know the number of
4 votes registered for any candidate; that each elector is
5 permitted to vote for or against any question, proposition or
6 amendment upon which he is entitled to vote, and is prevented
7 from voting for or against any question, proposition or
8 amendment upon which he is not entitled to vote; that the
9 machine is capable of adjustment by the election authority,
10 so as to permit the elector, at a party primary election, to
11 vote only for the candidates seeking nomination by the
12 political party in which primary he is entitled to vote:
13 Provided, also that no such machine or machines shall be
14 purchased, unless the party or parties making the sale shall
15 guarantee in writing to keep the machine or machines in good
16 working order for 5 years without additional cost and shall
17 give a sufficient bond conditioned to that effect.

18 Voting machines approved for use under this Article may
19 have the capability to inform a voter that he or she has
20 overvoted or spoiled his or her ballot before the ballot is
21 cast and provide the voter with an opportunity to obtain
22 another ballot from the judges of election and to revote.

23 (Source: P.A. 89-700, eff. 1-17-97.)

24 (10 ILCS 5/24A-4) (from Ch. 46, par. 24A-4)

25 Sec. 24A-4. Voting systems may be used in elections
26 provided that such systems enable the voter to cast a vote
27 for all offices and on all measures on which he is entitled
28 to vote, and that the automatic tabulating equipment may be
29 set to reject all votes for any office or measure when the
30 number of votes therefor exceeds the number which the voter
31 is entitled to cast, and provided that such systems are
32 approved for use by the State Board of Elections.

33 So far as applicable, the procedure provided for voting

1 paper ballots shall apply when electronic voting systems are
2 used.

3 Voting systems approved for use under this Article may
4 have the capability to inform a voter that he or she has
5 overvoted or spoiled his or her ballot before the ballot is
6 cast and provide the voter with an opportunity to obtain
7 another ballot from the judges of election and to revote.

8 (Source: P.A. 84-862.)

9 (10 ILCS 5/24B-4)

10 Sec. 24B-4. Use of Precinct Tabulation Optical Scan
11 Technology System; Requisites; Applicable procedure.
12 Precinct Tabulation Optical Scan Technology voting systems
13 may be used in elections provided that the Precinct
14 Tabulation Optical Scan Technology systems enable the voter
15 to cast a vote for all offices and on all measures on which
16 he or she is entitled to vote, and that the automatic
17 Precinct Tabulation Optical Scan Technology tabulating
18 equipment may be set to return any ballot sheet on which the
19 number of votes for an office or proposition exceeds the
20 number of votes which the voter is entitled to cast, or any
21 ballot sheet which cannot be read by the automatic tabulating
22 equipment, and provided that such systems are approved for
23 use by the State Board of Elections.

24 So far as applicable, the procedure provided for voting
25 paper ballots shall apply when Precinct Tabulation Optical
26 Scan Technology electronic voting systems are used. However,
27 the provisions of this Article 24B will govern when there are
28 conflicts.

29 Precinct Tabulation Optical Scan Technology voting
30 systems approved for use under this Article may have the
31 capability to inform a voter that he or she has overvoted or
32 spoiled his or her ballot before the ballot is cast and
33 provide the voter with an opportunity to obtain another

1 ballot from the judges of election and to revote.

2 (Source: P.A. 89-394, eff. 1-1-97.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.